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16076 U.S. PTO

031431 U.S. PTO
10/774171

020604

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Pocket No. : 51868/RWJ/N301
Inventor(s) : Alfred F. Nibecker, Jr.
Title : AIR GUN PUMP
Express Mail Label No. : EV 351235811 US

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 6, 2004

1. ☒ **FEE TRANSMITTAL FORM** *(Submit an original, and a duplicate for fee processing).*

2. **IF A CONTINUING APPLICATION**

☒ This application is a divisional application of U.S. Patent Application No. 10/427,637, filed April 30, 2003 which is a divisional application of U.S. Patent Application No. 09/990,908, filed November 16, 2001, now U.S. Patent No. 6,581,585.

Prior applications information: Examiner Charles G. Freay; Group Art Unit: 3746 (U.S. Patent Application No. 10/427,637); and Examiner John W. Zerr, Group Art Unit: 3746 (U.S. Patent Application No. 09/990,908, filed November 16, 2001, now U.S. Patent No. 6,581,585).

☐ This application claims the benefit of Provisional Application No. pursuant to 35 U.S.C. §119(e) and 37 CFR §1.78(a)(4).

3. **APPLICATION COMPRISED OF**

Specification

☒ 31 Specification, claims and Abstract (total pages)

Drawings

☒ 17 Sheets of formal drawing(s) (FIGS. 1 to 14)

Declaration and Power of Attorney

☐ Newly executed

☐ Unexecuted declaration

☒ Copy from a prior application (37 CFR 1.63(d))(for continuation and divisional)

4. ☐ **Microfiche Computer Program** *(Appendix)*

5. ☐ **Nucleotide and/or Amino Acid Sequence Submission** *(if applicable, all necessary)*

☐ Computer Readable Copy

☐ Paper Copy (identical to computer copy)

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.: 51868/RWJ/N301

_____ Statement verifying identity of above copies

6. APPLICANT(S) STATUS UNDER 37 CFR §1.27

 X Applicant(s) and any others associated with it/them under §1.27(a) are a SMALL ENTITY

7. ALSO ENCLOSED ARE

_____ Request and Certificate under 35 U.S.C. §122(b)(2)(B)(i) **Request for Non-Publication**
_____ Preliminary Amendment

_____ Includes "Cross-Reference to Related Applications"

_____ A Petition for Extension of Time for the parent application and the required fee are enclosed

_____ An Assignment of the invention with the Recordation Cover Sheet and the recordation fee are enclosed

_____ This application is owned by pursuant to an Assignment recorded at Reel , Frame

 X Information Disclosure Statement (IDS)/PTO/SB/08A/B

 2 Copies of IDS Citations and PCT/US02/36634 PCT International Search Report.

_____ Certified copy of Priority Document(s) (*if foreign priority is claimed*)

_____ English Translation Document (*if applicable*)

 X Return Receipt Postcard (MPEP 503) (should be specifically itemized).

 X Other: Letter Regarding Elections of Invention Groups

8. CORRESPONDENCE ADDRESS

CHRISTIE, PARKER & HALE, LLP, P.O. BOX 7068, PASADENA, CA 91109-7068
Customer Number: 23363

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By R. W. Johnston

R. William Johnston

Reg. No. 17,968

626/795-9900

**FEE TRANSMITTAL
UTILITY PATENT APPLICATION**

DATE: February 6, 2004

Docket No. : 51868/RWJ/N301
Inventor(s) : Alfred F. Nibecker, Jr.
Title : AIR GUN PUMP

Duplicate

FEE DETERMINATION

CLAIMS AS FILED					
	NUMBER FILED	NUMBER EXTRA	SMALL ENTITY RATE	LARGE ENTITY RATE	FEE
TOTAL CLAIMS	4 ⁺¹ - 20	= 0	0 x \$9.00	x \$18.00	0
INDEPENDENT CLAIMS	1 - 3	= 0	0 x \$43.00	x \$86.00	0
MULTIPLE-DEPENDENT CLAIMS FEE			\$145.00	\$290.00	145.00
BASIC FEE			\$385.00	\$770.00	385.00
TOTAL FILING FEE					\$530.00
List Independent Claims: 1					

METHOD OF PAYMENT

 X Payment Enclosed: Check for \$530.00.

 X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the **entire pendency** of the application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By R. W. Johnston
R. William Johnston
Reg. No. 17,968
626/795-9900

RWJ/clb

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NO. EV 351235811 US

Appl No. : Not yet assigned
Applicant : Alfred F. Nibecker, Jr.
Filed : Herewith
Title : AIR GUN PUMP
Docket No. : 51868/RWJ/N301
Customer No. : 23363

LETTER REGARDING ELECTIONS OF INVENTION GROUPS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
February 6, 2004

Commissioner:

In accordance with a requirement for restriction to one of five groups of claims as set forth in the Office action dated 01/09/2003 in the parent application (Serial No. 09/990,908, filed November 16, 2001, now U.S. Patent No. 6,581,585), applicant elected (in an Election filed January 31, 2003 in the parent application) the invention of Group I, namely, claims 1-4 and 20-27, reserving the right to file one or more divisional applications to the non-elected invention of Groups II (Claims 5-8), III (Claims 9-12), IV (Claims 13-17), and V (Claims 18-19). The parent divisional application (Serial No. 10/427,637, filed April 30, 2003 which is a divisional of U.S. Patent Application No. 09/990,908, filed November 16, 2001, now U.S. Patent No. 6,581,585) elected the invention of Group IV (Claims 13-17). The present divisional application elects the invention of Group III (Claims 9-12).

Docket No. 51868/RWJ/N301

Applicant reserves the right to file one or more additional divisional applications directed to the remaining non-elected inventions.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

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626/795-9900

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